

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KARA E. DUNN,

Plaintiff,

Hon. Robert Holmes Bell

v.

Case No. 1:13-cv-00970

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

REPORT AND RECOMMENDATION

Plaintiff failed to file her initial brief which was due January 6, 2014 pursuant to notice from the court (Dkt. 11). Upon review of Defendant's Motion to Amend Briefing Schedule filed February 10, 2014 (Dkt. 16), which defendant was forced to file because of plaintiff's delay, the court granted the motion (Dkt. 17) and adjusted the briefing schedule as follows: Plaintiff's initial brief would be due February 25, 2014, with defendant's brief due March 25, 2014, and plaintiff's reply brief due April 8, 2014. Plaintiff was warned that failure to file her brief would result in a Report and Recommendation that the case be dismissed pursuant to FED. R. CIV. P. 41(b) and W.D.Mich. L.Civ.R. 41.1 for want of prosecution and failure to comply with the rules and orders of this court. To date, plaintiff has filed neither her brief nor any motion to further extend the deadlines in this matter.

As such, the undersigned hereby recommends that this matter be dismissed pursuant to Fed. R. Civ. P. 41(b) and W.D.Mich. L.Civ.R. 41.1 for want of prosecution and failure to comply with the

rules and orders of this court. Timely objections to this Report and Recommendation shall be considered plaintiff's final opportunity to show cause why this matter should not be dismissed.

Respectfully submitted,

Date: March 25, 2014

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).